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*Attorneys for Defendants Wockhardt USA LLC and Wockhardt Ltd.*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

NOVARTIS PHARMACEUTICALS )  
CORPORATION, )

Plaintiff, )

v. )

ACTAVIS LLC; APOTEX, INC.; )  
APOTEX, CORP.; GLAND PHARMA )  
LTD.; DR. REDDY'S LABORATORIES, )  
INC.; DR. REDDY'S LABORATORIES )  
LTD.; EMCURE PHARMACEUTICALS )  
USA, INC.; EMCURE )  
PHARMACEUTICALS, LTD; HOSPIRA, )

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Civil Action No. 13-cv-1028-SDW-MCA

INC.; PHARMACEUTICS )  
INTERNATIONAL INC.; SAGENT )  
PHARMACEUTICALS, INC.; ACS )  
DOBFAR INFO S.A.; STRIDES, INC.; )  
AGILA SPECIALTIES PRIVATE LTD.; )  
SUN PHARMA GLOBAL FZE; )  
CARACO PHARMACEUTICAL )  
LABORATORIES, LTD; SUN )  
PHARMACEUTICAL INDUSTRIES )  
LTD.; WOCKHARDT USA LLC; and )  
WOCKHARDT LTD. )  
 )  
 )  
Defendants. )  

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**DEFENDANTS WOCKHARDT USA LLC AND WOCKHARDT LTD.'S NOTICE OF  
MOTION TO DISMISS COUNT II OF THE CORRECTED AMENDED COMPLAINT**

To: William J. O'Shaughnessy  
McCarter & English, LLP  
Four Gateway Center  
100 Mulberry Street  
Newark, NJ 07101-0652

Please take notice that on May 6, 2013, the undersigned counsel for Defendants Wockhardt USA LLC and Wockhardt Ltd. (collectively, "Wockhardt"), shall move before the Honorable Susan D. Wigenton, U.S.D.J., at the United States District Court. M. L. King, Jr. Federal Building & U. S. Courthouse, 50 Walnut Street, Newark, New Jersey 07102, pursuant to Fed. R. Civ. P. 12(b)(6), for entry of an Order dismissing Count II of the Corrected Amended Complaint. The grounds for this Motion are set forth in the accompanying Memorandum filed herewith. A proposed Order is also filed herewith.

Oral argument is requested.

Dated: March 27, 2013

**FOX ROTHSCHILD LLP**

By: /s/ Karen A. Confoy  
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Wockhardt Limited

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 27<sup>th</sup> day of March 2013, the foregoing Defendants Wockhardt USA LLC and Wockhardt Ltd.'s Notice of Motion to Dismiss Count II of the Corrected Amended Complaint; Wockhardt USA LLC and Wockhardt Ltd.'s Memorandum of Law in Support of their Motion to Dismiss Count II of the Corrected Amended Complaint; Declaration of Karen A. Confoy and accompanying exhibits; and Proposed Order were filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system on all counsel of record.

/s/ Karen A. Confoy